

FILED IN OPEN COURT

DATE 11/2/2022BY D. Amos

DEPUTY CLERK

Lynchburg DIVISION, W.D. of VA

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

UNITED STATES OF AMERICA

v.

CHRISTY BOWLING

Defendant

Criminal No.

6:22CR21-001

FACTUAL BASIS

If this case were to go to trial the government would prove with relevant and admissible evidence the following:

1. Title II Retirement benefits are paid to aged, blind, disabled, or widowed persons who have paid sufficient FICA taxes into the program to become eligible for monthly payments upon finding that they meet all factors of entitlement. A wage earner must be at least age 65 and sufficient quarters of coverage, paid FICA taxes, in the system to be entitled to retirement benefits. SSA benefits are paid from the Retirement/Survivors Trust Fund, the Disability Trust Fund and the Medicare Trust Fund. Individuals who have been convicted of a felony crime and incarcerated are not entitled to receive SSA Retirement benefits.

2. This case was referred to the Social Security Administration, Office of the Inspector General, Office of Investigations (SSA/OIG/OI) Richmond Office by the SSA Lynchburg District Office (DO). The allegation stated that BG contacted the SSA Office on August 31, 2020, to apply for Title II Retirement Insurance Benefits (RIB). During the application process, the SSA discovered that BG was already receiving retirement benefits since April 2010. BG advised SSA she was incarcerated for the last 19 years and was recently released from prison.

Based on the indication of fraudulent receipt of benefits, this case was referred to OIG for investigation.

3. BG says her application was processed by the SSA Lynchburg District Office. BG stated that prior to her application in September 2020, she has never contacted the SSA for any reason.

4. A fraudulent SSA application was submitted to Lynchburg SSA office by Christy Bowling ("Bowling") the granddaughter of BG and daughter of Judith Cash "Cash."

5. SSA subpoenaed bank records of account where SSA benefits were deposited. The bank records show multiple withdrawals are shown in Lynchburg, Madison Heights, Lovington and Arrington, VA areas.

6. Bowling was one of two people who possessed the bankcard associated with BG's Social Security benefits.

7. Bowling was receiving money and using a portion of the funds from the bank account containing BG's Social Security benefits.

8. During the fraud Bowling and Cash exchanged the bankcard between each other.

9. SSA determined Bowling received a total of \$172, 952.00 in Social Security Title II Retirement benefits which she was not entitled to between April 2010 and September 2020.

10. Bowling filed for bankruptcy under chapter 13 on November 19, 2020. Bowling filed the required schedules, statement of financial affairs and related documents on December 3, 2020. The bankruptcy schedules did not disclose ownership of a 2015 Dodge Ram and the statement of financial affairs did not disclose the transfer of that vehicle within the two years prior to the bankruptcy filing.

11. An attorney for (and designee of) the Chapter 13 Trustee conducted the original Section 341 meeting of creditors on December 18, 2020. Bowling was placed under oath and examined by the attorney for the Chapter 13 Trustee. At that meeting of creditors, Bowling testified, among other things, that:

- 1) That she reviewed a completed petition, schedules and statement of financial affairs with her attorney prior to signing those documents;
- 2) That she signed those documents;
- 3) That she listed all of her assets and all of her creditors on the bankruptcy documents;
- 4) That there were no additions or corrections that needed to be made since the case was filed;
- 5) That the petition, schedules, and statement of financial affairs were true and correct.

12. Bowling's Section 341 meeting was concluded on December 18, 2020.

13. In addition to having concealed her ownership interest in the 2015 Dodge Truck, Bowling failed to include all of her income from 2020 in that she failed to disclose the Social Security funds she received by false or fraudulent pretenses.

14. These events occurred in the Western District of Virginia.

Respectfully submitted,

CHRISTOPHER R. KAVANAUGH
UNITED STATES ATTORNEY

By:

Date: 11/01/2022


Date: 11/2/22

Date: 11/2/22



Charlene Day
Assistant United States Attorney


CHRISTY BOWLING
Defendant


Scott DeBruin
Counsel for Defendant